IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO. 572 of 2006.
IN
SECOND APPEAL NO. 289 OF 2006.

Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.

Court's or Judge's orders.

Shri S.H.Joshi for the Applicant.

Ms.Neelam Bakshi for the Respondent No.1

CORAM : ABHAY S.OKA, J.

DATED : 21st July, 2006.

P.C.:

1. Rule. The Advocate for Respondent No.1 waives service. Taken up for hearing forthwith.

2. It is not in dispute that the original Plaintiff is in possession of the suit property. The Second Appeal has been admitted for final hearing. Therefore, decree for specific performance will have to be stayed till final disposal of the appeal.

3. Hence Rule is made absolute in terms of prayer clause (a) No order as to costs.

Judge.